



PLANNING &
COMMUNITY
DEVELOPMENT
COMMISSION



DEVELOPMENT REVIEW: LYONS VALLEY TOWNHOMES

PAUL GLASGOW, DIRECTOR OF COMMUNITY DEVELOPMENT

March 10, 2020



DEVELOPMENT REVIEW PROCESS

16-17-10 (LMC)



What IS development review:

- Development plan – site plan, landscape plan, utility plan, etc.
- Tract A multifamily = non major building permit
- Process and procedure
- PCDC = final decision-making authority; appeals to the Board of Trustees within 30 days
- Quasi-judicial review – conditions



What is NOT:

- Zoning determination, development is entitled
- Assessment of affordable housing in Lyons
- The fiscal impact (BOT)
- Development plan agreement (BOT)

BACKGROUND

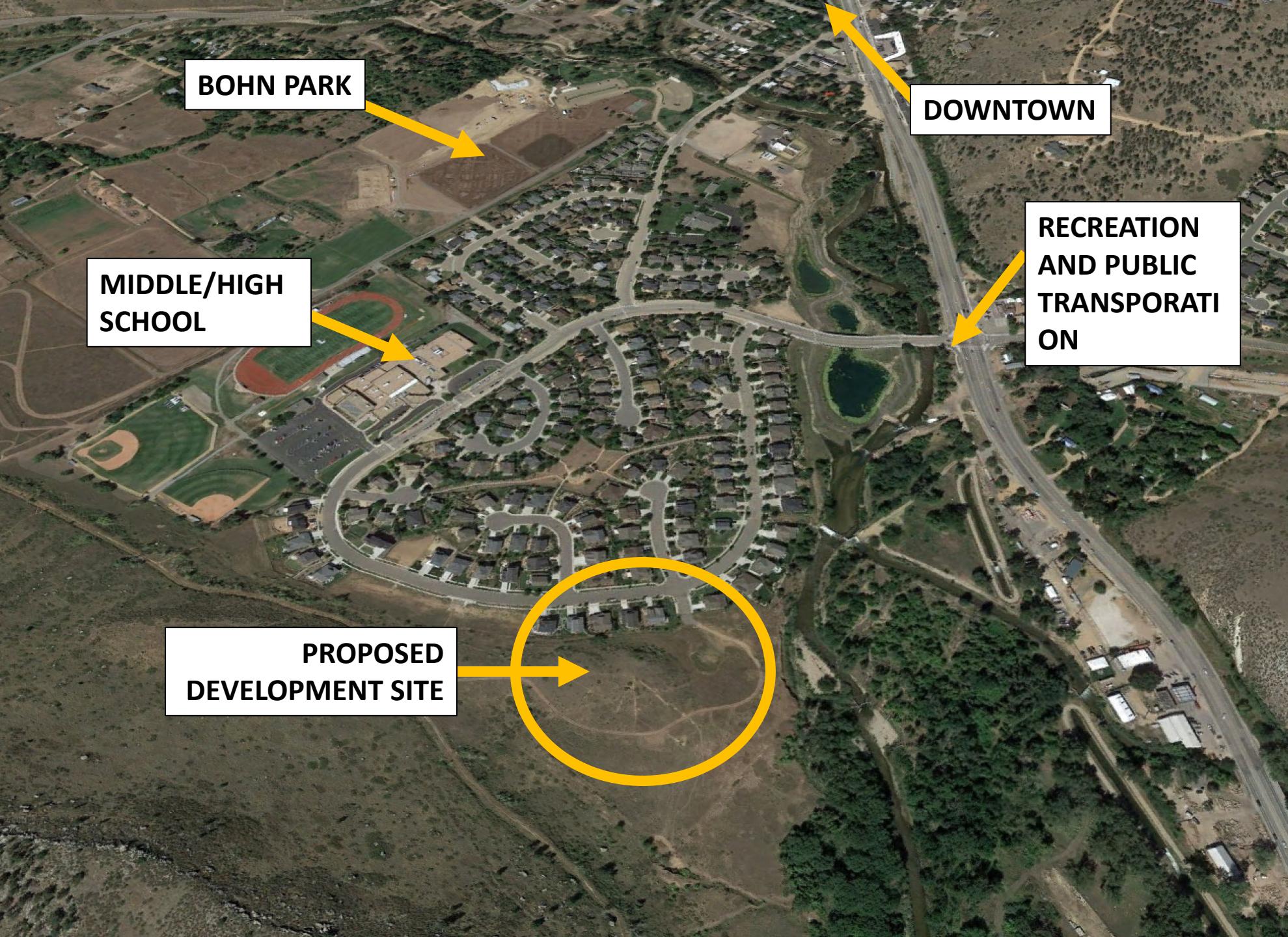


- Since 2013, the Town of Lyons has been trying to replace 100 affordable homes lost in the flood.
- \$4 million of a Community Development Block
- 2018: Purchase and Sale Agreement with Lyons Valley Park, Inc. for Tract A of Filing 8 in the Lyons Valley Park
- 2018: Town issued a Request for Proposal and accepted the Summit Housing Group's proposal for an affordable housing development at that location.





LOCATION



COMMUNITY INVOLVEMENT

- Summit Housing Group has held two listening ...
 - Reducing the number of multifamily housing units to 21 homes on Tract A and 19 single-family homes
 - Agreeing to develop all the utilities and infrastructure for water, sewer, electric and storm drainage, including the paving of the entire roadway in Lyons Valley Park, Filing 8.
- The development plan for consideration today includes only Tract A multifamily homes.





POLICY ALIGNMENT

- 2010 Comprehensive Plan
- 2014 Recovery Action Plan



HOUSING

- **Recognize and accommodate the housing needs of a diverse population.**
 - 2010 Housing 1
 - 2014 HOU 1
- **Increase opportunities for affordable housing.**
 - 2010 Housing 1.2
 - 2014 HOU 1.3
- **Work with nonprofit partners..., interested landowners and developers to explore opportunities to integrate affordable housing units into proposed development and redevelopment projects.**
 - 2010 Housing 1.2.2
- **Encourage and facilitate the rebuilding of the Lyons housing stock and the return of residents displaced by flooding.**
 - 2014 HOU 1.1



SUSTAINABLE DESIGN & DEVELOPMENT

- **Build for Everyone** - Every neighborhood should have a variety of housing types and a mix of land uses. The goal is to design a strong neighborhood structure that can accommodate a range of uses and be flexible enough to adapt to change over time.
- **Fit within and Enhance the Environment** - Minimize the development's footprint. Preserve existing drainage patterns, minimize grading and impervious areas
- **Create Inviting Public Spaces** Public spaces such as parks, civic buildings and gateway landscapes should be highly visible from the public realm.



COMMUNITY CONCERNS

Density and visual impact

Density

- Development Plan is below approved density for (Lyons Valley Park P. R. D. Master Plan.) / 7.7 units per acre within PA-7. At 3.82 acres, the allowable density is 29 multifamily units, and this project proposes 21.

View from adjacent neighborhood

- Avoided impact to hill and preserved open space

Colors and materials that match Lyons Valley Park

Lighting

- Lighting will not intrude on adjacent development
- Dark skies compliance is a requirement of the green communities



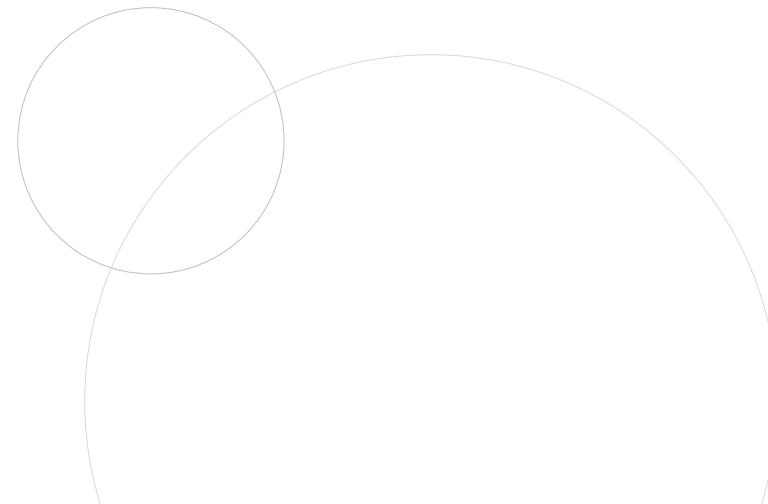
COMMUNITY CONCERNS

Traffic

- Roadways were designed and approved for 7.7 units per acre
- Current development 5.5 units per acre
- Town engineer and CDOT approved traffic analysis
- Town is purchasing temporary speed bumps to use as needed

Drainage

- Subdivision designed to meet storm drainage criteria
- Town adopted Stormwater Master Plan in 2017
- Development plans is being updated with detention concept with on site detention/water quality and meet the direction of the stormwater master plan.





COMMUNITY CONCERNS

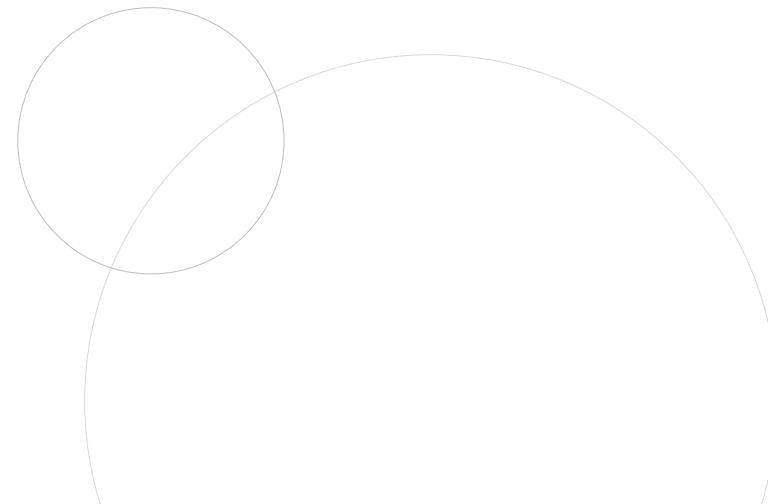
Financial

- Finance direct staff report
 - “The Town of Lyons Board of Trustees ensures the operating budget is balanced and provides adequate reserves for unexpected costs. It is not expected, that by adding these units, the residents of Lyons will incur significant tax increases or decreases in services. “

Sewer Plant capacity

Utility Director Memo

- New housing is not a concern for copper in the wastewater system.
- This residential wastewater typically not a concern for high BOD levels.
- The sewer plant has ample capacity to handle additional homes





REFERRALS

| REFERRED AGENCY | MAJOR CONCERN | STAFF RESPONSE |
|--------------------------------|--|---|
| Boulder County | Support for affordable housing | The town has identified a goal of 10% of the Lyons housing stock be affordable. Currently, only six housing units have been built to replace the 100 units lost in the 2013 flood. Forty additional housing units will be a significant step toward the goal. |
| CDOT | No issues | <i>The entire Filing 8 of Lyons Valley Park contemplated single-family and multi-family houses on this site. Carter Drive roadway and McConnell Drive were both designed to support this amount of traffic.</i> |
| Ecology Board | Flood damaged restoration request and water quality issues. | On site detention pond will provide water quality and limit on street flows, Tract A does not affect flood damaged lots. |
| Lyons Fire Protection District | Review construction plans prior to obtaining building permits. | Completed roadway design, will submit construction documents for review. |

REFERRALS

| REFERRED AGENCY | MAJOR CONCERN | STAFF RESPONSE |
|--|--|---|
| Town Engineer (MurraySmith) | Addressing referral comments | Consultant is updating plans per engineers recommendations; staff requests conditional approval. |
| OneLine Electric | Icon stormwater master plan | Consultant is updating plans per engineers recommendations; staff requests conditional approval. |
| Parks & Recreation Commission | Social trail, preserve access to Ledge Ditch Trail; support for employee retention | Request easement as condition of approval. |
| SVVSD | No substantial impact to schools, cash in lieu | <i>The SHG will pay the cash in lieu fee developed when applying for the building permit. With the current configuration of 21 multi-family and 19 single-family units, this fee would be \$7,413 for the 21 multifamily (353 per unit) and \$10,469 for the singlefamily (551 per unit) for a total of \$18,162.</i> |



REFERRALS (CONT.)

| REFERRED AGENCY | COMMENT SUMMARY | STAFF RESPONSE |
|---------------------------------|--|--|
| Utilities and Engineering Board | Icon report integration and updated drainage report | Consultant has committed to address all concerns, see conditions for approval |
| Utility Coordinator | Need electric system design; sewer laterals cannot connect to manholes. | Staff is working with the applicant to address these issues. Either all issues will be addressed, or additional conditions will be added to this staff report. |
| Xcel | Must complete application for any new natural gas services and acquire easements | Staff and applicant will work together to identify easements as required and include them in a development agreement for approval by board of trustees. |



DEVELOPMENT PLAN REVIEW CRITERIA 16-17-20

| CRITERION | MET? | COMMENTS |
|--|------|---|
| 1. All information required on site plan/development plan is shown. | YES | |
| 2. The lot size and lot dimensions are consistent with what is shown on the approved final plat. | YES | The lot lines in the development plan Tract A are consistent with Lyons Valley Park filing 8. |
| 3. No buildings or structures infringe on any required setbacks, easements or rights-of-way unless approved in writing by the easement holder or owner of the right-of-way. | YES | There are no known easements on the site, the development plan. The setbacks are consistent with the requirements in the zoning code, a 25' setback from Carter Drive. |
| 4. The proposed site grading is consistent with the requirements of Town's adopted storm drainage criteria or master drainage plan, and grading disturbance of significant existing natural vegetation and natural landforms minimized to the maximum extent feasible. | YES | The proposed site grading is consistent with the requirements of the Town's adopted storm drainage criteria or the master drainage plan. The development preserves a significant portion of the Tract A parcel as open. |
| 5. The density and dimensions shown conform with this Chapter or the approved PUD requirements. | YES | The density of the development is below the allowable density for the development per the zoning adopted in Lyons Valley Park P. R. D. Master Plan. It is located in Planning Area 7 (PA-7) in the master Plan, the Master Plan allows a density of 7.7 units per acre within PA-7. At 3.82 acres, the allowable density is 29 multifamily units, and this project proposes 21. |



DEVELOPMENT PLAN REVIEW CRITERIA 16-17-20 (CONT.)

| CRITERION | MET? | COMMENTS |
|--|------|----------|
| 6. The applicable regulations, design standards and guidelines have been adequately addressed and the proposed improvements conform with this Code, including but not limited to the following standards, as applicable | YES | |
| 6a. Lighting shall be arranged so it neither unreasonably disturbs occupants of adjacent residential properties nor interferes with traffic. The light source shall be concealed by a full cutoff lighting fixture so that the light source is not visible from any street right-of-way or adjacent properties. In order to direct light downward and minimize the amount of light spill into the night sky and onto adjacent properties, all lighting fixtures shall be cutoff fixtures. The maximum permitted illumination at the property line shall be two (2) foot-candles. Light fixtures shall not exceed twenty-four (24) feet in height and shall be mounted in such a manner that the cone of light is contained on-site and does not cross any property line of the site. Lighting used to accent architectural features, landscaping or art may be directed upward, provided that the fixture shall be located, aimed or shielded to minimize light spill into the night sky. The use of sensor technologies, timers or other means to activate lighting during times when it will be needed is encouraged to conserve energy, provide safety and promote compatibility between different land uses. Lower lighting levels at off-peak times are encouraged as a safety measure. | YES | |



DEVELOPMENT PLAN REVIEW CRITERIA 16-17-20 (CONT.)

| CRITERION | MET? | COMMENTS |
|--|------|---|
| <p>6b. Outdoor storage shall be screened from adjacent properties. Screening shall be achieved through walls, architectural features and landscaping and be visually impervious. Permitted outdoor vehicle or equipment storage areas shall be screened by the establishment of landscaped buffers or an opaque fence/wall at least 5 feet high. Vehicles being serviced or stored for customers shall not be parked on streets, alleys or public sidewalks. Automobile, boat and motorcycle rental and sales lots shall not be greater than 1.5 acres.</p> | YES | Other than trash, there is no outdoor storage on the site. Trash areas will be screened from view. |
| <p>6c. Uses that create intense glare or heat, whether direct or reflected, that are perceptible from any point along the site's property lines, shall be conducted within an enclosed building or be effectively screened from public view. If the source of the glare is proposed to be screened with plant material, then the applicant must show that the screening will be effective year-round.</p> | YES | There are no uses that create intense glare or heat. |
| <p>6d. To the extent reasonably feasible, an applicant shall take advantage of opportunities to integrate adjacent outdoor pedestrian spaces and other adjacent land use in a manner consistent with the goals and objectives of the Comprehensive Plan. To the extent reasonably feasible, an applicant shall enter into cooperative agreements with adjacent property owners to share vehicular access in a manner that creates safe traffic movements and minimizes vehicle/pedestrian conflicts, resulting in an integrated network of vehicular and pedestrian access.</p> | YES | The development is creating a significant pedestrian circulation in the subdivision and will provide a small park for the community. Staff is requesting a condition of development plan approval an easement to allow access to the Loukonen property to the east. |



DEVELOPMENT PLAN REVIEW CRITERIA 16-17-20 (CONT.)

| CRITERION | MET? | COMMENTS |
|---|------|--|
| 6e. New employment or industrial uses abutting an existing residential neighborhood shall not create drastic or abrupt change in the scale and height of buildings. | YES | A rental office unit is located in the interior of the development in a residential structure and does not abut an existing residential neighborhood. |
| 7. The site can be adequately served with public utilities, services and facilities (i.e., water, sewer, electric, schools, street system, fire protection, public transit, storm drainage, refuse collection, parks system, etc.). | YES | The development will add substantial utilities and facilities that will not only serve the existing development but other parcels that are not part of either the 21 multifamily units or the 19 single-family properties. |
| 8. The site will provide efficient on-site and off-site traffic circulation which will not have a significant adverse impact on the adjacent uses or result in hazardous conditions for pedestrians or vehicles in or adjacent to the site. | YES | The Town Engineer and CDOT determined that the traffic impact analysis and report will not impair the traffic flows on McConnell Drive or on the intersection of McConnell Drive and Ute Highway (Main Street). |
| 9. The site design minimizes environmental impacts, mitigates impacts to wildlife and wildlife habitat and utilizes best management practices to conserve natural resources (consider energy conservation, water conservation, recycling, use of local materials). | YES | The site design minimizes the impact on pervious surfaces and maximizes development on a small portion of Tract A. The construction document will achieve the standards of an Enterprise Green Community. Submittal includes Environmental Impact Analysis responses and more information on stormwater pollution prevention plan, and wildlife impacts. |

DEVELOPMENT PLAN REVIEW CRITERIA 16-17-20 (CONT.)

| CRITERION | MET? | COMMENTS |
|---|------|--|
| <p>10. The site has an approved trash disposal plan that addresses litter control, trash collection, on-site storage, pick-up on a regular basis and the Dumpster location with proper screening and buffering so that there are not any substantial impacts to abutting properties. All waste shall be deposited into a completely enclosed container concealed from adjacent properties.</p> | YES | This is addressed in the Project Narrative. |
| <p>11. Proposed land uses and activities shall be conducted so that any noise generated on the property will not violate the Town's noise regulations in Chapter 10, Article 11 of this Code, so that any ground vibration created by the use of the property will be imperceptible without instruments at any point along the property line.</p> | YES | The residential development will not violate the Town's noise regulations. |
| <p>12. The proposed development shall conform with all applicable local, state and federal regulations.</p> | YES | |
| <p>13. All of the information required on the site plan or development plan is shown.</p> | YES | |



RECOMMENDATION

Although there are some details to work out to match the standards, and lighting requirements are not fully achieved, staff believes:

- That the development has significantly achieved the criteria in 16-17-40.

Staff recommends that the PCDC adopt resolution 2020-03 with the following conditions:



CONDITIONS OF APPROVAL

PROPOSED MOTION: "I MOVE TO APPROVE RESOLUTION 2020-3 PCDC WITH THE FOLLOWING CONDITIONS"

1

The applicant will submit a development plan, which staff will review for approval, with bike racks for multifamily units, include 1 bike parking area per unit. Space per spot should be approximately 30"x 72"x 48"

2

Modify the development plan to be electric vehicle-ready, and add provision to redevelopment agreement that requires installation of electric vehicle charging station if a resident has a vehicle that needs one.

3

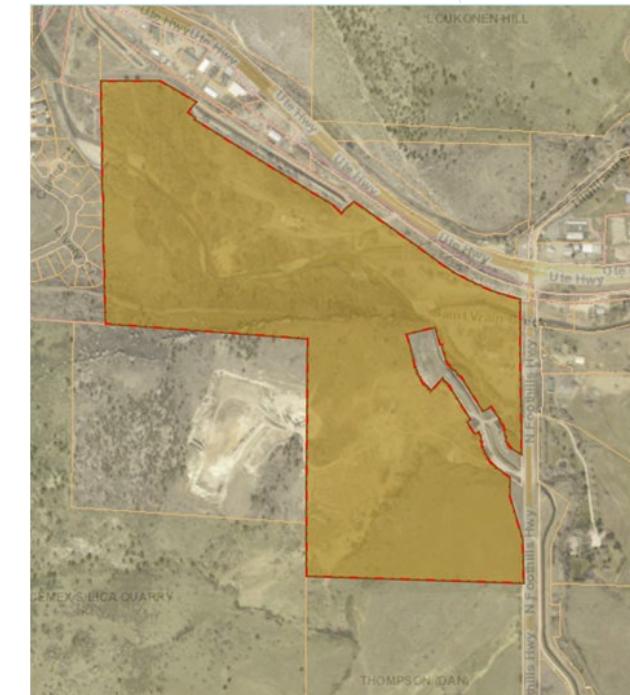
Modify the development plan to include storage units so each unit has enclosed and shielded storage areas.

4

Since the development plan agreement considers infrastructure for Lyons Valley Park, Filing 8, preserve a trail and road access easement to 12993 N. Foothills Highway (see image to right).

5

Add general note on development plan that the proposed development shall conform with all applicable local, state and federal regulations.





CONDITIONS OF APPROVAL (CONT.)

PROPOSED MOTION: "I MOVE TO APPROVE RESOLUTION 2020-3 PCDC WITH THE FOLLOWING CONDITIONS"

7

Applicant will submit and staff will review a draft development agreement with a provision for Board of Trustees to maintain permanent affordability.

8

Applicant will work with Town staff to develop, submit the modifications requested in the referrals from MurraySmith and NLine Electric and identified in the Site Plan – Comment Response Letter, Lyons Valley Park – Filing No. 7 – Tract A – Lyons, Colorado, Scott, Cox & Associates Project No. 19165A. Town Staff will provide a certification of completeness prior to issuance of a building permit.

9

All outdoor trash facilities will be stored in bear-proof trash bins.

10

Based on feedback from the Town Staff the applicant will refine the landscape maintenance plan into a final maintenance plan. The applicant will submit a plan and the Town Staff will determine completeness of the modification prior to certificate of occupancy.

11

Applicant and Town Staff will modify the development plan and the certified drainage report to fully implement the detention concept submitted by the applicant including detention of 100-year stormwater event. The Town Engineer will determine completeness of the detention concept and modified development plan prior to issuance of a building permit.

12

Applicant will submit and staff review for approval a final landscape plan and a landscape irrigation plan, *prior to issuance of a certificate of occupancy*.

13

The applicant will refine the development agreement with staff and present to the Board of Trustees a development agreement that ensures access to and maintenance of all public utilities, infrastructure, and the private roadway.



SUMMARY OF ALTERNATIVES/ PROPOSED MOTION

SUMMARY AND ALTERNATIVES:

Planning and Community Development Commission has the following options:

- (1) Approve Resolution PCDC 2020-3 without conditions;
- (2) Approve Resolution PCDC 2020-3 with conditions;
- (3) Continue Resolution PCDC 2020-3 to request additional information;
- (4) Deny Resolution PCDC 2020-3

PROPOSED MOTION: “I MOVE TO APPROVE RESOLUTION 2020-3 PCDC WITH THE CONDITIONS IDENTIFIED IN THE STAFF DEVELOPMENT REVIEW REPORT”



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